IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

WEDNESDAY, THE 26TH SEPTEMBER 2007 / 4TH ASWINA 1929

WA.No. 1162 of 2007(B)

AGAINST THE JUDGEMENT IN WP(C) NO.12355/2007 Dated 10/04/2007

APPELLANTS: PETITIONERS:
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1. ABOOBACKER SIDDIQUE,
   AGED 43 YEARS,
   S/O.LATE MUHAMMED HAJI,
   AKALUR P.O.,
   LAKKIDI, OTTAPALAM TALUK,
   PALAKKAD DISTRICT.

2. SMT.RUKIYA C.T.,
   W/O.ABOOBACKER SIDDIQUE,
   KALATHINGAL HOUSE,
   AKALUR P.O., LAKKIDI,
   OTTAPALAM TALUK,
   PALAKKAD DISTRICT.

BY ADV. SRI.C.K.RAMAKRISHNAN

RESPONDENTS: RESPONDENTS:
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1. FEDERAL BANK, PALAKKAD BRANCH,
   PALAKKAD.

2. DEPUTY GENERAL MANAGER AND AUTHORISED OFFICER,
   REGIONAL OFFICE OF THE FEDERAL BANK,
   MISSION QUARTERS,
   THRISSUR.

3. DEPUTY GENERAL MANAGER,
   RESERVE BANK OF INDIA.

BY ADV. SRI.V.JAYAPRADEEP, SC, FEDERAL BANK
SRI.GEORGE VARGHESE (MANACHIRACKEL)

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 26/09/2007,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

H.L.DATTU, C.J. & K.T.SANKARAN,J.

W.A. NO. 1162 OF 2007

Dated this the 26th September, 2007

JUDGMENT

H.L.DATTU, C.J.

This appeal is filed against the orders passed by the learned single Judge in W.P.(C) No.12355 of 2007, dated 10th April, 2007.

2. At the time of hearing of this appeal, learned counsel appearing for the appellants would submit that the appellants have paid the entire amounts due to the first respondent Bank. Therefore, requests us to direct the first respondent Bank to return all the documents pledged/mortgaged by the appellants with the Bank as early as possible.

3. Learned counsel for the respondent Bank is present before Court. Learned counsel would submit that all the documents which were pledged by the appellants are in the custody of the Debts Recovery Tribunal.

4. Since the appellants have already settled the entire amounts due to the first respondent Bank, it is proper for the Bank to return all the documents which the appellants have pledged with the Bank. Therefore, the following:

O R D E R

i) The Writ Appeal is disposed of without going into the merits of the case.

ii) The first respondent Bank is directed to return all the documents which have been pledged by the appellants within two months' time

from today. If for any reason, they are unable to return the documents, they are at liberty to make an application for extension of time.

Ordered accordingly.

(H.L.DATTU)
Chief Justice

(K.T.SANKARAN)
Judge

ahz/